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20 MR. LACHANCE: Objection, your Honor. We've been
21 all over this.

22 THE COURT: I think we have been over this. I'll
23 let you have that one question. Is that true?

24 THE WITNESS: Yes.

25 MR. APFEL: Nothing further, your Honor.

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1 THE COURT: Nothing further, Mr. LaChance?

2 MR. LACHANCE: No, your Honor, I think --

3 THE COURT: Ms. Poswistilo?

4 MS. POSWISTILO: No.

5 THE COURT: You may step down, thank you.

6 (Whereupon the witness stepped down.)

7 THE COURT: Does Ms. Figueroa rest?

8 MR. LACHANCE: No, your Honor. May we approach
9 side bar for a second?

10 THE COURT: You, may.

11 SIDEBAR CONFERENCE, AS FOLLOWS:

12 THE COURT: Yes?

13 MR. LACHANCE: I have two witnesses that are here.
14 with respect to one, I want to ask the Court for sort of an
15 advisory opinion rather than call her.

16 THE COURT: Well, that's not the right word because
17 I can't do it, but why don't you ask me anyway.

18 MR. LACHANCE: I understand.

19 She would, has actually testified that she came to
20 know Ms. Figueroa better, she knew her before but she knew
21 her much better after her arrest, that on several occasions
22 she wanted her to go out. And that she would ask her to go
23 out but that Ms. Figueroa would say, well, you would have to

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24 check with Manny first and get his permission because I
25 can't go out unless he okays it. That's while she still

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1 lived at Tyianne Mendes's house.

2 This woman would also indicate that she had a, had
3 a conversation with Manny which she eventually, well, not
4 eventually, but Carmen Figueroa was in the room and she told
5 Carmen after she got off the phone that when she basically
6 protested, you know, why do we have to ask, you know, if she
7 can go, if she can go out, and he tells her that I've
8 controlled her since, you know, she was 12, 13.

9 THE COURT: You're not, you're not getting his
10 statements. Taking that as an offer of proof, it seems to
11 me that her, what she says, you have to ask Manny, goes to
12 her state of mind and corroborates the position she's taken
13 here and for that limited purpose you may call this witness.

14 who's the other witness?

15 MR. LaCHANCE: The other witness is Tarina Benoit
16 who has corroborative evidence of a lot of the stuff.

17 THE COURT: All right, you may proceed.

18 (Whereupon the sidebar conference concluded.)

19 MR. LaCHANCE: Your Honor, may I, may I just have a
20 moment with my client.

21 THE COURT: Yes, yes, of course.

22 MR. LaCHANCE: Thank you.

23 MR. APFEL: Your Honor, while they're conferring, I
24 would ask the two witnesses that Mr. LaChance is about to
25 call, may I have an instruction that their testimony does